

Message Text

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PAGE 01 USUN N 01712 01 OF 02 281908Z
ACTION IO-13

INFO OCT-01 ARA-06 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01
SP-02 SS-15 USIA-06 DHA-02 TRSE-00 EB-07 AID-05
HEW-04 AF-10 EA-07 NEA-10 COME-00 DIWY-01 /123 W
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R 281819Z MAY 77
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC 3814
INFO USMISSION GENEVA
AMEMBASSY BELGRADE
AMEMBASSY BONN
AMEMBASSY BRASILIA
AMEMBASSY BRUSSELS
AMEMBASSY BUENOS AIRES
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
AMEMBASSY THE HAGUE
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY MOSCOW
AMEMBASSY PARIS
AMEMBASSY ROME

LIMITED OFFICIAL USE SECTION 1 OF 2 USUN 1712

E.O. 11652: N/A
TAGS: SHUM, SOCI, CSCE
SUBJECT: 62D ECOSOC--HUMAN RIGHTS, ITEM 12

REF: USUN 1659

1. SUMMARY. IN ANALYSING THE RESULTS OF THE ACTIONS
TAKEN ON HUMAN RIGHTS ISSUES AT THE RECENT SESSION OF
THE ECONOMIC AND SOCIAL COUNCIL, THE MISSION CONCLUDES
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PAGE 02 USUN N 01712 01 OF 02 281908Z

THAT EVEN THOUGH THE SESSION PRODUCED VERY LITTLE IN
THE WAY OF NEW INITIATIVES OR DIRECTIONS, THE ACTIONS
TAKEN ON THE FEW PROPOSALS WHICH WERE TABLED SHOWS
THAT RESISTANCE TO NEW PROCEDURES HAS INCREASED AND
MUST BE TAKEN INTO ACCOUNT IN OUR PLANNING FOR FUTURE
INITIATIVES. AN EVEN MORE IMPORTANT FACTOR RELATIVE
TO THE CLIMATE IN WHICH WE WILL BE OPERATING AT THE

32D GA WILL BE THE US POSTURE AND THE RESULTS OF THE CSCE FOLLOW-UP IN BELGRADE THIS JUNE. END SUMMARY.

2. IN CONSIDERATION OF ITEM 12, HUMAN RIGHTS, THE COUNCIL DEVOTED THE MAJORITY OF ITS TIME TO THE REPORT OF THE 33D SESSION OF THE COMMISSION ON HUMAN RIGHTS(HRC). THIS IS TO BE EXPECTED IN VIEW OF THE FACT THAT THE SPRING SESSION OF ECOSOC FOLLOWS CLOSELY AFTER THE FEBRUARY/MARCH SESSION OF THE HRC AND DELEGATIONS HAVE LITTLE TIME TO PREPARE NEW INITIATIVES FOR ECOSOC. IN GENERAL, NEW IDEAS ARE TRIED OUT EITHER AT THE HRC OR AT THE GA, RATHER THAN AT THE SPRING ECOSOC:

3. THE ONE INITIATIVE WHICH WAS TABLED BY THE WESTERN STATES, UNDER THE LEADERSHIP OF THE NETHERLANDS, WAS WITHDRAWN WITHOUT A VOTE IN THE FACE OF CERTAIN DEFEAT. THIS INITIATIVE ON THE SUBJECT OF TORTURE CALLED FOR THE CHAIRMAN OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES TO APPOINT A GROUP OF FIVE MEMBERS TO MEET PRIOR TO THE SESSIONS TO ANALYZE DOCUMENTARY MATERIAL RECEIVED IN CONNECTION WITH HUMAN RIGHTS OF PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT. THE EXPECTED OPPONENTS OF NEW MACHINERY, THE EASTERN EUROPEANS PLUS CUBA, FOUND COMPANY WITH THE LATIN STATES, PARTICULARLY BRAZIL AND ARGENTINA, WHO HAVE DEVELOPED INCREASE SENSITIVITY TO NEW PROCEDURES WHICH THEY ASSUME WILL BE USED TO FOCUS ATTENTION LIMITED OFFICIAL USE

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PAGE 03 USUN N 01712 01 OF 02 281908Z

ON THEM. THIS GROWING ALLIANCE OF THE GUILTY WAS DEMONSTRATED IN MORE THAN ONE CASE.

4. THE ACTION TAKEN ON ONE OF THE RESOLUTIONS FORWARDED BY THE COMMISSION ON THE STATUS OF WOMEN REFLECTED THE SAME PATTERN OF RESISTANCE TO NEW PROCEDURES. RESOLUTION X CONTAINED IN THE REPORT OF THE CSW AND PERTAINING TO EXAMINATION OF COMMUNICATIONS ON VIOLATIONS OF RIGHTS OF WOMEN, FOUND ALMOST NO SUPPORT OUTSIDE THE WESTERN GROUP. THE LATINS, PARTICULARLY ARGENTINA, EXPRESSED STRONG OPPOSITION TO SETTING UP A NEW 1503-TYPE PROCEDURE FOR DELVING INTO HUMAN RIGHTS VIOLATIONS IN SPECIFIC COUNTRIES. MOST AFRICAN STATES FELT APPREHENSIVE ABOUT A NEW INVESTIGATIVE MECHANISM, PARTICULARLY ONE OUTSIDE OF THE HRC. THERE WERE ALSO OTHER FACTORS EXPLAINING THE DEFEAT OF RESOLUTION X. EVEN SOME WESTERN STATES, NOTABLY FRANCE, WERE NOT ENTHUSIASTIC ABOUT SETTING UP A NEW CONFIDENTIAL PROCEDURE FOR EXAMIN-

ING COMMUNICATIONS AS THE EXISTING 1503 PROCEDURE IN THE HRC CONTAINS RECOGNIZED FLAWS AND NEEDS TO BE REVISED. THERE IS NO AGREEMENT YET ON WHAT PARTICULAR IMPROVEMENTS OUGHT TO BE MADE AND HOW THEY SHOULD BE ACCOMPLISHED.

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PAGE 01 USUN N 01712 02 OF 02 281951Z
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LIMITED OFFICIAL USE SECTION 2 OF 2 USUN 1712

5. IN ANOTHER INSTANCE, ARGENTINA TEAMED UP WITH THE UKRAINIAN SSR TO COSPONSOR A DECISION PERTAINING TO NON-GOVERNMENTAL ORGANIZATIONS, THE PURPOSE OF WHICH WAS TO BRING ABOUT AUTOMATIC SUSPENSION OF STATUS OF NGO'S FOR FAILURE TO SUBMIT REQUIRED REPORTS ON SCHEDULE. THIS PROCEDURE WOULD HAVE BEEN CONTRARY TO THE GUIDELINES FOR SUSPENSION SET FORTH IN RESOLUTION 1296(XLIV). THE DECISION WAS AMENDED, AT US SUGGESTION, TO BRING IT INTO LINE WITH THE PROVISIONS OF

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PAGE 02 USUN N 01712 02 OF 02 281951Z

RESOLUTION 1296 WHICH ALLOWS SUSPENSION OF NEGOS ONLY AFTER RECOMMENDATIONS BY THE NGO COMMITTEE AND BY A DECISION OF ECOSOC. THE ARGENTINES UNDERTOOK THIS INITIATIVE MAINLY AS A WARNING GESTURE TO NGOS WHO HAVE RECENTLY PUBLICIZED VIOLATIONS OF HUMAN RIGHTS IN ARGENTINA AND WHO WERE OUTSPOKEN AT THE 33D SESSION OF THE HRC. THE NGO'S HAVE NOT SUFFERED ANY LOSS OF PRIVILEGES AS A RESULT OF ACTIONS TAKEN AT ECOSOC, BUT ARE INCREASINGLY APPREHENSIVE ABOUT THE REVIEW OF NEGOS IN CATEGORY I AND CATEGORY II WHICH IS SCHEDULED TO TAKE PLACE NEXT YEAR, POSSIBLY IN JANUARY OF 1978.

6. PREPARATION FOR THE GA. THE MISSION RECOMMENDS THAT US ENERGIES AT THE GA BE FOCUSED ON TWO PROPOSALS, THE CREATION OF THE POST OF HIGH COMMISSIONER FOR HUMAN RIGHTS (HCHR) AND AN INITIATIVE DEALING WITH TORTURE. IN ORDER TO EVALUATE THE POSSIBILITIES OF THE SUCCESS OF THESE PROPOSALS, WE WOULD STRONGLY RECOMMEND THAT A US REPRESENTATIVE, PREFERABLY THE DESIGNATED REPRESENTATIVE ON THE HUMAN RIGHTS COMMISSION, UNDERTAKE A PERSONAL VISIT TO SELECTED CAPITALS, BOTH WESTERN AND G-77, TO DISCUSS IN DEPTH THESE AND OTHER POSSIBLE PROPOSALS AND TO DRAW OUT THE KIND OF REACTIONS WHICH ARE NOT LIKELY TO RESULT FROM A ROUTINE DEMARCHE. THE MISSION BELIEVES THIS TRIP SHOULD BE CARRIED OUT IN JUNE, IF POSSIBLE, OR IN EARLY JULY IN ORDER TO ALLOW TIME FOR EVALUATING THE RESULTS.

7. THE MISSION BELIEVES THAT ONE OF THE MOST IMPORTANT DETERMINANTS OF PROSPECTS FOR ACHIEVING RESULTS AT THE 32D GA WILL BE THE POSTURE OF THE US AND THE RESULTS OF THE CSCE FOLLOW-UP IN BELGRADE. OUR DISCUSSIONS WITH VARIOUS EUROPEAN COLLEAGUES HAVE ALREADY INDICATED THAT SOME FEAR THE US IS DIGGING INTO A COLD WAR, ANTI-SOVIET POSTURE WHILE OTHERS

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PAGE 03 USUN N 01712 02 OF 02 281951Z

FEAR THAT SUPERIOR ATTITUDE WILL WEAKEN OUR CREDIBILITY AND INFLUENCE. MISSION BELIEVES THAT US REACTIONS AND ATTITUDES AT BELGRADE SHOULD FIT IN WITH LONG-RANGE HUMAN RIGHTS POLICY AND OBJECTIVES. THE EASTERN EUROPEANS HAVE ALREADY GIVEN OFF NUMEROUS SIGNALS OF THEIR INTENTION TO TAKE THE OFFENSIVE AT CSCE,

INCLUDING THE AGGRESSIVE STATEMENT BY THE BULGARIAN
DELEGATE DURING DISCUSSION OF HUMAN RIGHTS AT ECOSOC
WHICH POINTEDLY CRITICIZED US MORAL PREACHING AND
POINTED OUT AREAS SUCH AS US VISA POLICIES WHICH
WERE EXAMPLES OF RESTRICTIVE HUMAN RIGHTS PRACTICES.
THEREFORE, WE FEEL THAT THE US SHOULD BE PREPARED
FOR A SHARP EXCHANGE OF VIEWS BUT THAT OUR TREATMENT
OF EASTERN EUROPEAN VIOLATIONS OF HUMAN RIGHTS
SHOULD NOT BE OUT OF PROPORTION WITH OUR REACTIONS
TO VIOLATIONS IN OTHER PARTS OF THE WORLD.
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